

I will be watching the negotiations and hope it will produce the kind of agreement I have discussed here today. But regardless of what Copenhagen brings, I will continue to advocate for domestic legislation that invests in clean, domestic energy, and frees us from energy policies that undermine our national security and our economy by being dependent upon imported oil.

I will advocate for legislation that invests in the industries of tomorrow to stem the loss of clean energy jobs—jobs that stem from American inventions and ideas—to countries overseas. I will advocate for legislation that provides significant investment in clean fuels and public transit, so we seize an opportunity to build the infrastructure of tomorrow and change the way we move people and goods around this country. Right now, the transportation sector represents 30 percent of our greenhouse gas emissions and 70 percent of our oil use. If we could only double the number of transit riders every day, we could reduce our dependence on foreign oil by 40 percent. That is equivalent to the amount of oil we import every year from Saudi Arabia.

That kind of legislation is good for our country and good for Maryland. But we must remember that even after Copenhagen, any deals we reach, any papers we sign, are still but the foundation. The work must continue with earnest followthrough, dedicated to truly changing the way we work and live and move around this Earth.

#### OSCE MINISTERIAL MEETING

Mr. CARDIN. Mr. President, last week the Organization for Security and Cooperation in Europe, OSCE, held its annual Ministerial Meeting in Athens. As always, the OSCE Parliamentary Assembly was strongly represented there. Today, in my capacity as Chairman of the Commission on Security and Cooperation in Europe, I would like to offer a few reflections on the outcome of the meeting, and what this might mean for the future of European security, in which the U.S. has a vital stake.

Each year, a different country serves as the OSCE's "Chairman in Office." This year, Greece was the Chairman-in-Office and this year's Ministerial Council meeting subsequently took place in Athens. In recent years discord and paralysis have increasingly begun to overwhelm the cooperation and consensus that once characterized the OSCE. The Greeks thus began their chairmanship facing a difficult challenge.

At last year's meeting in Helsinki under Finland's able chairmanship, the Ministers decided that the OSCE should look for ways to overcome this gridlock and to give the organization a new impetus. Greece took this task to heart and launched the "Corfu Process" to do just that. This effort has already borne fruit. In Athens, the ministers resolved to continue to try to re-

affirm, review, and reinvigorate security in the OSCE region by continuing this process.

The Ministers also agreed on decisions that addressed such fundamental and persistent problems as hate crimes, tolerance and nondiscrimination, non-proliferation, terrorism, and the "protracted conflict" in Nagorno-Karabakh. One of these decisions, on countering transnational threats, was sponsored by the U.S. and Russia, the first such joint effort in several years. I hope this is a positive portent for the future.

The Ministers were not able to agree on how to tackle some other equally important and pressing problems. These included the protracted conflicts in Georgia and Moldova, OSCE assistance to Afghanistan, and the Conventional Forces in Europe Treaty. Clearly, much work remains to be done in putting the OSCE fully back on track.

I would be remiss if I concluded my remarks without commending the Greek chairmanship for its untiring and ultimately successful efforts during the course of this year. The chairmanship rekindled the trust and confidence among the participating states that had steadily eroded over the past decade. Greece has clearly set the stage for a brighter and more productive future for the organization, and my colleagues on the Helsinki Commission, and I would like to congratulate the Greek chairmanship on this significant accomplishment.

We would also like to wish Kazakhstan, the first Central Asian nation to hold this office, every success in its historic chairmanship in 2010 and to offer them our full support. Indeed, in our view the Kazakh chairmanship is already off to a promising start, for in Athens, at the initiative of the Kazakhs, the Ministers decided to hold a high-level conference on tolerance next year. This proved to be a timely decision, coming as it did just as Switzerland voted to ban the construction of Muslim minarets, and the president of the Swiss Christian Peoples Party called for a ban on Muslim and Jewish cemeteries. These actions reminded us that not even countries that have played a leading role in establishing international human rights standards are immune from the tendencies to discriminate against immigrants and minorities and to place limits on the free expression of religious beliefs.

It is very important for the OSCE to combat these troublesome trends. It is also important that all the organization's participating states reaffirm, and commit themselves to upholding, the rights of all religious communities to create places of worship and to rest in line with their own traditions. I very much hope the OSCE's conference on tolerance next year will advance this effort.

Finally, let me say that we look forward with great interest to the forthcoming discussions of Kazakhstan's proposal to hold a meeting of heads of

state and government during its chairmanship. Should it happen, this would be the first such "summit" under OSCE auspices, something that was previously a regular occurrence. In Athens, in acceding to this proposal, the United States expressed the view that it is open to considering such a meeting if, but only if, such a summit can produce results of substance. I think this is the correct approach, and it is one I fully support.

#### EDUCATION TAX INCENTIVES

Mr. GRASSLEY. Mr. President, yesterday I offered legislation to make permanent a number of education-related tax relief measures. My legislation, S. 2851, also improves and makes permanent helpful provisions for 529 plans and the American opportunity tax credit for education.

At the first hearing I held when I became chairman of the Finance Committee in 2001, I made clear that education tax policy was a priority of mine. As chairman, I was able to remove the 60-payment limit for deducting student loan interest and I was able to increase the income limits for that deduction. This was not the only time I fought hard to allow students to deduct their student loan interest. In 1997 I was able to reinstate the student loan interest deduction that Congress had eliminated from our tax laws. However, the 60-payment limit on the deductibility of student loan interest remained. I ensured that the 2001 tax relief bill took care of that problem. Other incentives for education that I was able to enact into law in 2001 included raising the amount that can be contributed to an education saving account from \$500 to \$2,000; making distributions from prepaid college savings plans and tuition plans tax-free; and making permanent the tax-free treatment of employer-provided educational assistance. These tax policies and many others, including those for school renovations, repairs and construction, have proven their value to Iowa students in dollars and cents, year after year. The tax relief has delivered measureable educational assistance to Iowans and students and families nationwide, making education more affordable and accessible.

One drawback of enacting these provisions in the 2001 tax relief bill, however, is that there was a sunset provision attached to that entire piece of legislation. All of the tax relief needs to be made permanent. Especially the education-related tax provisions. And that is what my bill today does. My bill makes these provisions permanent.

It is no coincidence that I introduced my education tax bill on the day the President of the United States talked about jobs. Our economy demands well-educated workers. The popularity of education tax incentives is good news for workers who find themselves unemployed or who want to go back to school to advance, or even change,

their careers. Congress is willing to consider permanent tax relief for companies to buy machinery. Why isn't Congress willing to make an investment in people? That's what tax relief for education is. An investment in our future. It is just as important as job-creating tax incentives for businesses. Some will say we can't afford this, but we really can't afford to lose billions of dollars of help for Americans working hard to educate their kids.

Education has made this country great. We should not let this opportunity pass us by. We should not let these education-related tax provisions expire. We should also continue to help make education affordable for families and students. This makes education accessible for all. I look forward to working with my colleagues on passing this bill.

#### PENDING NOMINATIONS

Mr. LEAHY. Mr. President, last week, I challenged Senate Republicans to do as well as Senate Democrats did in December 2001 when we proceeded to confirm 10 of President Bush's Federal judicial nominees. Regrettably my plea has been ignored. Since the confirmation of Judge Jacqueline Nguyen last Tuesday to fill a vacancy on the Federal bench for the Central District of California; Republican objections and delay have prevented progress on any of the nine judicial nominees pending on the Senate Executive Calendar. Judge Nguyen was herself delayed almost 6 weeks, from October 15 until she was at last confirmed on December 1. When Republicans finally agreed to allow a vote, she was confirmed unanimously, 97 to zero. Why the 6-week delay? Why the stalling? That question was not answered. In fact, during the time reserved for debate on this nomination no Republican spoke a word about it.

I know how hard pressed the Federal judges in Los Angeles are, and only wish we followed the action on Judge Nguyen's nomination by proceeding, as well, to the confirmation of another nominee for a vacancy on that court. Dolly Gee's nomination to the Central District of California remains pending before the Senate. She was reported by voice vote and without dissent from the Senate Judiciary Committee on October 15, as well. Once confirmed, she will be able to go to work helping to eliminate the backlog and delays in that court.

I was glad we were finally allowed to proceed with Judge Nguyen's nomination, but urged at that time that Senate Republicans allow votes on the other nominations as well. That has not happened. I noted that we had shown what we can do when we want to make progress. The Senate confirmed Judge Christina Reiss of Vermont and Judge Abdul Kallon of Alabama before the Thanksgiving recess, and 17 days after their hearing. That prompt action by the Senate demonstrates what we

can do working together in good faith. It should not take weeks for the Judiciary Committee to report nominations, and additional weeks and months before Senate Republicans allow nominations to be considered by the Senate.

There remain nine judicial nominations that have been given hearings and favorable consideration by the Senate Judiciary Committee but that remain stalled before the Senate. They are: Beverly Martin of Georgia, nominated to the Eleventh Circuit; Joseph Greenaway of New Jersey, nominated to the Third Circuit; Edward Chen, nominated to the Northern District of California; Dolly Gee, nominated to the Central District of California; Richard Seeborg, nominated to the Northern District of California; Barbara Keenan of Virginia, nominated to the Fourth Circuit; Jane Stranch of Tennessee, nominated to the Sixth Circuit; Thomas Vanaskie of Pennsylvania, nominated to the Third Circuit; and Louis Butler, nominated to Western District of Wisconsin. These nine nominees all await final action by the Senate. Some have been waiting since being reported by the Senate Judiciary Committee as long as 12 weeks ago.

Acting on these nominations, we can confirm 10 nominees this month. That is what we did in December 2001 when a Democratic Senate majority proceeded to confirm 10 of President Bush's nominees, and ended that year having confirmed 28 new judges nominated by a President of the other party. We achieved those results with a controversial and confrontational Republican President after a mid-year change to a Democratic majority in the Senate. We did so in spite of the attacks of September 11; despite the anthrax-laced letters sent to the Senate that closed our offices; and while working virtually around the clock on the PATRIOT Act for 6 weeks.

It is now December 9 and the Republican minority has consented to allow votes on only nine of President Obama's nominations to fill district and circuit court vacancies. We confirmed a tenth, Judge David Hamilton, after invoking cloture to overcome a Republican leadership-led filibuster. In comparison, by this date in 2001, we had confirmed 21 of President Bush's nominations, including six to fill circuit court vacancies. We will certainly fall well short of the total of 28 judicial confirmations our Democratic Senate majority worked to confirm in President Bush's first year in office.

This year we have witnessed unprecedented delays in the consideration of qualified and noncontroversial nominations. We have had to waste weeks seeking time agreements in order to consider nominations that were then confirmed unanimously. Judge Nguyen is the most recent example. We have seen nominees strongly supported by their home state Senators, both Republican and Democratic, delayed for months and unsuccessfully filibustered.

I have been concerned that these actions by the Republican leadership signal a return to their practices in the 1990s, which resulted in more than doubling circuit court vacancies and led to the pocket filibuster of more than 60 of President Clinton's nominees. The crisis they created eventually led even to public criticism of their actions by Chief Justice Rehnquist during those years.

I hope that instead of withholding consent and threatening filibusters of President Obama's judicial nominees, Senate Republicans will treat the nominees of President Obama fairly. I made sure that we treated President Bush's nominees more fairly than President Clinton's nominees had been treated. In the 17 months that I served as chairman of the Senate Judiciary Committee during President Bush's first term, the Senate confirmed 100 of his judicial nominations.

I want to continue that progress, but we need Republican cooperation to do so. I urge them to turn away from their partisanship and begin to work with the President and the Senate majority leader.

Unlike his predecessor, President Obama has reached out, reached across the aisle to work with Republican Senators in making judicial nominations. The nomination of Judge Hamilton, which the Republican leadership filibustered, was supported by the most senior Republican in the U.S. Senate, my respected friend from Indiana, Senator LUGAR. Other examples are the recently confirmed nominees to vacancies in Alabama supported by Senators SESSIONS and SHELBY, in South Dakota supported by Senator THUNE, and in Florida, supported by Senators MARTINEZ and LAMIEUX. Still others are the President's nomination to the 11th Circuit from Georgia, supported by Senators ISAKSON and CHAMBLISS, his nomination to the 6th Circuit from Tennessee, supported by Senator ALEXANDER, and his recent nominations to the 4th Circuit from North Carolina, supported by Senator BURR. President Obama has reached out and consulted with home State Senators from both sides of the aisle regarding his judicial nominees.

Instead of praising the President for consulting with Republican Senators, the Republican leadership has doubled back on what they demanded when a Republican was in the White House. No more do they talk about each nominee being entitled to an up-or-down vote. That position is abandoned and forgotten. Instead, they now seek to filibuster and delay judicial nominations. They have also walked back from their position at the start of this Congress, when they threatened to filibuster nominees on which home state Senators were not consulted. We saw with Judge Hamilton that they filibustered a nominee supported by Senator LUGAR.

When President Bush worked with Senators across the aisle, I praised him